

**Notice of Allowability**

Application No.

09/760,327

Examiner

Thomas Duong

Applicant(s)

CHILOYAN ET AL.

Art Unit

2145

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to June 30, 2006.
2. ☒ The allowed claim(s) is/are 1-37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
JASON CARDONE  
SUPERVISORY PATENT EXAMINER

## DETAILED ACTION

### ***Response to Arguments***

1. The Applicants' arguments and amendments filed on June 30, 2006 have been fully considered and are deemed persuasive.

### ***Allowable Subject Matter***

2. *Claims 1-37 are allowed. The claims indicated include limitations that the prior arts of record do not appear to teach or render obvious, hence they are allowed.*
3. The following is an examiner's statement of reasons for allowance:  
  
*As presented in the previous Office Action, Leigh (US006728787B1) teaches an environment where the "destination computer reads a device identification and a network address from a peripheral device connected to the destination computer. A device driver, corresponding to the device identification, is then retrieved from the source computer at the network address... The destination computer requests the device driver for the peripheral device corresponding to the configuration of the destination computer from the source computer. The device driver is installed in the destination computer"* (Leigh, abstract). Also presented in the previous Office Action, Motoyama et al. (US006915337) teaches of *"a novel method, system and program product which updates the device driver of a client computer if it is determined that its version is older and if it is determined that a user desires updating the device driver"* (Motoyama, col.3, lines 31-34).

However, the prior arts of record fail to teach or suggest individually or in combination as stated in the independent claims for *“providing a pointer to a location in the addressable memory of the peripheral device at which the network address is stored”* and in combination with other limitations as set forth in the independent claims, as well as Applicants’ arguments presented on pages 8-13 of the amendment filed on June 30, 2006. In the fore mentioned amendment, the Applicants argued, *“in contrast, the cited art does NOT provide a pointer to a location in an addressable memory of the peripheral device but instead appears to read the network address directly from a memory device without regard to being provided a pointer to a specific address in an addressable memory of the peripheral device.”* (Remarks, pg.11, lines 15-18).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### **Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Jason D. Cardone can be reached on 571/272-3933. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

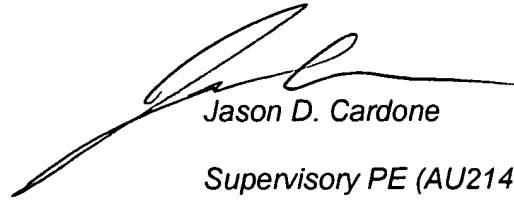
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*Thomas Duong (AU2145)*

*September 14, 2006*



Jason D. Cardone

*Supervisory PE (AU2145)*

**JASON CARDONE  
SUPERVISORY PATENT EXAMINER**